

# *Las Animas County*



## *Board of County Commissioners*

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Gary D. Hill  
Commissioner

Mack Loudon  
Commissioner

Anthony Abeyta  
Commissioner

April 2, 2015

Patrick Pfaltzgraff, Director  
Janet Kieler, Permit Section Mgr.  
Lori Mulsoff, Permit Writer  
Colorado Division of Water Quality Control  
4300 Cherry Creek Drive South  
Denver, CO 80246

RE: Draft Surface Water Permits: CO00448003 and CO0048054 for XTO Energy; and  
CO0047767, CO0047776, and CO 00448003 for Pioneer Natural Resources

Dear Division Personnel:

The Las Animas County Board of Commissioners desires to make comments regarding the above-listed permits currently under consideration. We have looked into the matter extensively and have had discussions with county landowners and industry representatives. After doing so, the board would like to respectfully request that the WQCD seriously reconsider the terms of the draft surface water permits.

First and foremost, the negative economic impact that the costs of implementing more stringent rules on the industry's ability to surface discharge some of the water that they produce will be significant. Having to meet the cost of transporting produced water that will not meet stricter measures to disposal wells could result in less production activity in our county. We have already suffered the harmful effects of decreased activity by experiencing a greater than 50% reduction in property tax revenues derived from the CBM industry. In addition, traffic on already highly-traveled CO State Highway 12 and various county roads would increase significantly by the need for more water trucks to remove discharged water thus bringing higher maintenance costs to the county. The economic consequences would not just be to Las Animas County however, higher costs to the industry to remove produced water would cause of negative end result in areas from local employment to tourism.

Las Animas County has remained in drought conditions for much of the past decade. It is imperative that landowners and livestock owners here have access to quality reliable sources of water. Currently, the retention ponds that are in place blend into the existing environment and provide strategically-placed watering opportunities where others may not exist thus providing livestock, wild game, small mammals, and birds. It is our concern that ranching and tourism could be in jeopardy with less water availability.

Existing data indicates that water currently being discharged into the Purgatoire River has not impacted the water's suitability for protected uses. In fact, the industry voluntarily monitors discharge points throughout their operating area to ensure that the quality of water meets the state's standards. They have complied with state standards and been good partners with county property owners who have enjoyed access to produced water. Despite these efforts, WQCD has continually increased the permit limits making it more difficult for XTO and Pioneer to discharge the produced water. We believe that the standards in their draft permits are overly excessive and unnecessary.

We urge the WQCD to withdraw and reconsider these draft permits. The standards are overly excessive and unnecessary and will force both XTO Energy and Pioneer Natural Resources to preclude landowners from utilizing a valuable resource in this county. Thank you very much for the opportunity to comment.

Respectfully,



Gary D. Hill  
Chairman  
Las Animas County  
Board of Commissioners